

REMARKS

Claims 1-11 have been examined. Applicant hereby amends claim 1 and cancels claims 2-3, 5 and 9-11. No new claims have been added. Therefore, claims 1, 4 and 6-8 remain in the application.

The Examiner objected to the drawings for failing to show every feature of the claimed invention. Applicant believes that these objections are moot in view of the claim amendments presented herein.

Claims 1, 6 and 8 stand rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over the published patent application of Whiting (now U.S. Patent No. 6, 945,695). Claim 4 stands rejected under 35 U.S.C. § 103(a) as being obvious over Whiting in view of Martin and Carroll. Claim 7 stands rejected under 35 U.S.C. § 103(a) as being obvious over Whiting in view of Fabricant.

Applicant has hereby amended independent claim 1 to better distinguish the claimed invention over the cited prior art. Specifically, claim 1 now recites a housing for the control device, which includes a clip for securing the housing to a belt or waistband and further includes a simulated display window such that the housing resembles a pager. Furthermore, claim 1 now recites a battery disposed within the housing for providing electrical power to operate the drain valve. Claim 1, as amended, is clearly distinguishable over Whiting since Whiting does not disclose or suggest a housing for the control device with the claimed structure. It should be noted that the Examiner has cited Hoover in connection with canceled claim 10. While Hoover discloses a storage container resembling a pager, there is no teaching or suggestion within either Whiting or Hoover to adapt the container of Hoover to serve as a housing for a control device in the Whiting invention. Furthermore, Whiting does not teach or suggest a battery disposed within the housing for the control device for providing electrical power to operate a drain valve. In Whiting, a separate rechargeable battery many times larger than the control device provides power for the valve. The Hoover reference adds nothing in this regard since Hoover is unrelated to providing electrical power to operate a drain valve.

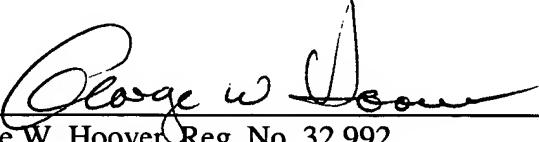
For the reasons state above, claim 1 is now believed to define patentable subject matter over the prior art of record. Dependent claims 4 and 6-8 all depend, directly or indirectly, from claim 1 and are therefore also believed to define patentable subject matter over the prior art.

Applicant submits that all claims remaining in the application are now in condition for allowance and notice to such effect is respectfully requested at the earliest possible date.

Respectfully submitted,

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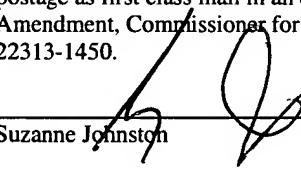
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